

May 17, 1995

DOCKET NO. E-109/SA-95-41

ORDER DISMISSING PETITION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Joel Jacobs
Marshall Johnson
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Joint Petition of Central
Minnesota Ethanol Cooperative and
Crow Wing Power & Light Company for
Service Extension

ISSUE DATE: May 17, 1995

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PROCEDURAL HISTORY

On January 17, 1995, Central Minnesota Ethanol Cooperative (Central Ethanol) and Crow Wing Cooperative Power & Light Company (Crow Wing) filed a joint petition under Minn. Stat. § 216B.42, subd. 1. The parties sought Commission authority for a plan under which a Central Ethanol processing plant would be served by Crow Wing rather than by Minnesota Power, the assigned electric service provider. Minnesota Power opposed the plan.

On March 3, 1995, the Commission issued its NOTICE AND ORDER FOR HEARING. In that Order the Commission referred the matter to the Office of Administrative Hearings for contested case proceedings.

Central Ethanol and Crow Wing came to an agreement that the dry mill ethanol processing plant, when built, would be served by Minnesota Power. On April 14, 1995, the parties filed a Joint Stipulation of Dismissal with the Commission and Judge Bruce Campbell, the Administrative Law Judge assigned to the contested case proceedings.

On April 17, 1995, Judge Campbell forwarded the stipulation to the Commission, stating that he was closing his file and returning the official record to the Commission.

No party opposed the dismissal of the petition.

On May 11, 1995, the matter came before the Commission for consideration.

FINDINGS AND CONCLUSIONS

The Commission finds that the issues raised by the parties to this petition have been resolved. Central Ethanol's planned facility will be served by the provider assigned to the territory in which it will be built. The parties wish to dismiss the petition and no other party opposes the dismissal. The Administrative Law Judge has closed the file and tendered the record to the Commission.

The Commission will dismiss the petition and close this docket.

ORDER

1. The Commission dismisses the January 17, 1995, petition filed by Central Ethanol and Crow Wing.
2. This docket is closed.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)